

FILED

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TEXAS

APR 10 2014

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *[Signature]*
DEPUTY

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Russell Adam Quiett Case Number: P-04-CR-220(01)

Name of Sentencing Judicial Officer: Honorable Robert Junell, United States District Judge

Date of Original Sentence: April 29, 2005

Original Offense: Coercing and Enticing a Minor, in violation of 18 U.S.C §2422(b) & Receiving Materials Involving the Sexual Exploitation of a Minor §2252(a)(2)

Original Sentence: 100 months imprisonment on each of Counts Two (2) and Three(3) to be served concurrently, followed by five (5) years of supervised release on each of Counts Two (2) and Three (3) to also be served concurrently.

Type of Supervision: Supervised Release Date Supervision Commenced: July 16, 2012

PETITIONING THE COURT

- To extend the term of supervision _____ years, for a total of _____ years.
 To modify the conditions of supervision as follows:

The offender shall be permitted to possess and use computers (as defined in 18 U.S.C. Section 1030(e)(1) and other electronic communication or data storage devices with on-line services at his place of employment only for work related purposes. Also, as part of this agreement, he shall submit and authorize access to a search of such devices.

CAUSE

As part of the above sentence, Your Honor requested this offender be prohibited from possessing or using a computer with access to any "on-line services" at any location (including employment) without the prior written approval of the probation department.

However, a letter submitted by Rebecca Greathouse Wren, M.ED., License Professional Counselor (LPC), License Sex Offender Treatment Provider (LSOTP-S), requesting this offender be allowed access to the internet and computers for work-purposed only, initiated this modification. And after due consideration surrounding this request, this officer believes that it is reasonable and has merit. Therefore, this officer is not opposed to this request, only if the offender agrees to make all electronic devices available to be periodically searched.

On March 5, 2014, although not required by Statute (Rules of Criminal Procedure 32.1(c)(2)(B), the offender waived his statutory rights to a hearing to modify the conditions of supervised release by endorsing the attached PROB 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision.

Approved:



Michael McDougall
Supervising U.S. Probation Officer
Telephone: (432) 837-3578, Ext.238

Respectfully submitted,



Julio Estrada
Senior U. S. Probation Officer
Telephone: (432) 837-3578, Ext. 242
Date: March 5, 2014

cc: James J. Miller, Jr.
Assistant U.S. Attorney

THE COURT ORDERS:

- No action.
- The extension of supervision as noted above.
- The modification of conditions as noted above.
- Other _____



Honorable Robert Junell
U.S. District Judge

3-6-14
Date

United States District Court
Western District of Texas

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision.

The offender shall be permitted to possess and use computers (as defined in 18 U.S.C. Section 1030(e)(1) and other electronic communication or data storage devises with on-line services at his place of employment only for work related purposes. Also, as part of this agreement, he shall submit and authorize access to a search of such devices.

Witness:



U.S. Probation Officer

Signed:



Probationer or Supervised Releasee

Witness:

Date: 3-5-14